

The argument that digital TV will not succeed without (excessive) protection for copyright holders is backwards. It will not succeed unless members of the public are willing to buy digital TVs. Personally I will have no interest in buying a digital TV which restricts or degrades my ability to record programming in the same way that I can today (either to a VCR/DVD-R or TiVO-like device). I have ceased buying CDs/DVDs due to my objection to the actions by those industries in causing the erosion of the public benefit side of copyright law. I will have no trouble in not buying digital TV for the same reason.

My household income exceeds \$200K/year, my wife and I are both well educated engineers, we are the perfect example of the "early user" of such digital technology. But we also know enough not to buy such technology under the terms that much of it is now being offered under.

I have children, they watch the same movies/CDs/DVDs play the same games over and over again. Recently I was making backups of some games my daughter plays before the CDs became scratched to use. One of them was copy protected in such a way as to prevent this. Will I buy a new one when that CD can not be used? NO I will not. Will I avoid buying anything from that manufacturer again because of this? YES I will. Is this good for the economy? NO it is not.

I urge the commissioner to realise that the protections being sought to protect copyright holders is doing much more damage both to the media industry as well as to the technology, manufacturing and retail industries from the lost sales due to the lack of interest by the public in buying media or devices which have been crippled in one form or another. And to reject this and all other proposed restrictions on the public's existing rights to use and reproduce copyrighted works.

Thank You for your consideration